IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

Bail Appl..No. 7199 of 2006()

CRIME NO.526/06 OF OTTAPPALAM POLICE STATION

PETITIONER/ACCUSED:

K.P.MOHANAN, S/O. PONNU,
AGED 35 YEARS, KATTUKALATHIL VEEDU,
AKALOOR P.O., PALAKKAD.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM REPRESENTING THE
SUB INSPECTOR OF POLICE, OTTAPPALAM POLICE STATION
IN CRIME NO.526/06.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/12/2006,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No.7199 OF 2006

DATED THIS THE 6TH DAY OF DECEMBER, 2006

O R D E R

Petitioner, who is the 4th accused in Crime No.526/06 of Ottappalam Police Station for offences punishable under sections 498A and 306 read with 34 IPC and subsequently registered also for an offence punishable under section 302 IPC, seeks anticipatory bail.

2. Petitioner is the husband of the sister of the first accused in the case. The deceased Vijayam was the wife of the first accused and she committed suicide along with her two children on 12.11.2006 by jumping in front of a running train. The first accused who was initially arrested and subsequently released on bail is also said to have committed suicide in the same manner. The allegation against the second accused and the present petitioner who is the 4th accused is that both of them used to molest deceased Vijayam while she was in the matrimonial home. It is too early to conclude that the allegation against the petitioner is false. At any rate, anticipatory bail

cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this direction, this petition is dismissed.

V.RAMKUMAR, JUDGE

dsn